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031321Z Mar 05

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000273

SIPDIS

STATE FOR EAP/BCLTV; PACOM FOR FPA

E.O. 12958: DECL: 01/13/2015

TAGS: [PHUM](#) [PGOV](#) [PREL](#) [ELAB](#) [ECON](#) [BM](#)

SUBJECT: BURMA: GOB "REJECTS" HUMAN RIGHTS REPORT

REF: A. RANGOON 246

[1](#)B. RANGOON 224

[1](#)C. RANGOON 185

Classified By: COM Carmen Martinez for Reasons 1.4 (b,d)

[1](#)1. (C) Summary: Calling our human rights report "nothing more than a catalogue of unsubstantiated allegations," the GOB says the United States "does not have the moral authority" to pass judgment on Burma and failed to take into account "major progress and positive developments" such as new infrastructure and an 8.5 percent average economic growth rate (note: zero percent last year, according to the IMF). We've told the GOB that we would welcome a regular dialogue on human rights, but new abuses in 2005 clearly indicate the regime's record is not improving. The GOB's rebuttal to the report is a standard response to foreign criticism: question the integrity of the messenger; steer clear of irrefutable abuses; emphasize efforts to achieve "national unity" and build new bridges and highways; and toss in an inflated figure or two. End Summary.

[1](#)2. (U) On March 3, MFA Director General U Thaung Tun requested a meeting with COM to deliver a verbal response to our recently released human rights report on Burma. Americas Division Director Tun Ohn joined the MFA DG and P/E chief accompanied the COM. (Note: The MFA subsequently sent the Embassy a press release with the GOB's written response to the human rights report, which U Thaung Tun said would be broadcast by official state television on March 3 and printed in official state newspapers on March 4. We've faxed the release to EAP/BCLTV. End Note.)

[1](#)3. (U) U Thaung Tun said the GOB was "disappointed and unhappy with a human rights report that is nothing more than a catalogue of unsubstantiated allegations and that does not take into account positive developments." The DG said the report concludes that the Burmese economy is crumbling, but does not address "major progress" in building new infrastructure and new education and health facilities. The DG said the GOB had "improved standards on our own, even without international resources." He also said that the United States "does not have the moral authority to address human rights practices in Burma or elsewhere," adding that the report would not help bilateral relations.

[1](#)4. (U) The COM replied that the human rights report is a well-researched document that accurately reports on a host of abuses. The COM noted that we would welcome a regular dialogue with the GOB on human rights issues, but pointed out that further setbacks in 2005, after the period covered in the report, indicate the GOB's record is not improving. Such additional abuses, she said, include arrests of democracy activists (ref B, C); secret trials of political party leaders; the extension of NLD Vice Chairman U Tin Oo's house arrest (ref B); and the failure of a top-level commitment on forced labor (refs A).

[1](#)5. (U) Addressing U Tin Oo's situation, the DG said simply, "I don't know, and can neither confirm nor deny whether his detention was extended." On forced labor, U Thaung Tun claimed that the early departure in late February of an ILO delegation (ref A) was a "misunderstanding," but offered that "at least the ILO left the door open" for future dialogue. The ILO team, he said, had insisted on meeting with the head of state (SPDC Chairman Than Shwe), but "in fact, had the opportunity to meet with Prime Minister (Sein Win), "who is the head of government and, as a member of the SPDC, speaks for the (regime)."

[1](#)6. (U) The COM replied that the GOB has promoted the notion that no important decisions can be made without the regime's top two members, and therefore the ILO should have every expectation that Than Shwe and/or Maung Aye must be personally engaged in making a commitment on forced labor. "If the ILO left the door open," the COM added, "then you should step through it and adhere to international standards on forced labor." The COM also noted that the GOB had not allowed UN Special Envoy Razali to visit Burma since March 2004 and had prohibited UN Special Rapporteur for Human Rights Pinheiro from returning since late 2003. "There can

be no viable UN process without them," she said, "and your senior leaders should be discussing their imminent return." U Thaung Tun replied that the issue was indeed under discussion, but "the authorities have not yet made a decision."

17. (C) Comment: The MFA's DG rebuttal to the report, and the subsequent press release, represented a standard GOB response to foreign criticism of its human rights practices and policies: question the integrity of the messenger; steer clear of irrefutable abuses; emphasize efforts to achieve "national unity" and build new bridges and highways; and toss in an inflated figure or two (the press release claimed an average economic growth rate of "8.5 percent annually for the past three years;" however, the IMF estimates zero percent growth in 2003-2004). The only unusual aspect this year was the request today for a meeting with the COM to complain directly about the human rights report; the GOB usually shuns such direct dialogue and relies on propaganda issued through its official media, as it has done over the past several years in response to a variety of regular U.S. reports on Burma. End Comment.
Martinez